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Daisuke Kumaki

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COOK ALEX LTD

SUITE 2850

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EXAMINER

GARRETT, DAWN L

ART UNIT

PAPER NUMBER

1794

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Election/Restrictions

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The light emitting element species are as follows:

For Group I: An element comprising first, second, and third layers having a specific electron or hole mobility relationship as described in claims 1 or 2.

For Group II: An element comprising specific layers having compounds according to formula 1, formula 2, a second substance with an electron accepting property and a fourth substance comprising specific electron donating property as described in claims 4 or 5.

For Group III: An element comprising a first layer with regions having specific electron mobility, hole mobility and electron accepting mobility relationships and a second layer as described in claim 7.

For Group IV: An element comprising specific regions having compounds according to formula 1 or formula 2 and compounds comprising specific electron donating or accepting properties as described in claim 8.

For Group V: An element comprising specific layers having specific electron mobility and hole mobility relationships and specific refractive index and thickness properties as described in claim 10.

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Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims are deemed to correspond to the species listed above in the following manner:

For Group I: Claims 1, 2, 3, 11 and 12 correspond to the species.

For Group II: Claims 4, 5, 6, 11 and 12 correspond to the species.

For Group III: Claims 7, 9, 11 and 12 correspond to the species.

For Group IV: Claims 8, 9, 11 and 12 correspond to the species.

For Group V: Claims 10-12 correspond to the species.

The following claim(s) are generic: 11 and 12.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons:

At least a device having a layer of a compound according to formula 1 does not define a contribution over the prior art and the device elements do not have a common composition or activity. [A chemical structure according to formula 1 for forming layers of an EL device was known in the art. See Thomas et al, Chemistry of Materials, (2002), Vol. 14, pages 2796-2802.] Additionally, the technical feature common to all claims, multi-layers of a light emitting element, is not novel over the prior art. Attention is directed to Brown et al., US 2003/0224202 A1, which

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teaches organic light emitting devices comprising an anode, hole transporting layer, light emitting layer, electron transporting layer and cathode (see abstract).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Lawrence Tarazano can be reached on (571) 272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dawn Garrett/
Primary Examiner, Art Unit 1794

September 22, 2009